

[Optional medicaid coverage for low-income individuals with HIV]

Bill no.:	Committee Print
Amendment no.:	1mm
Date offered:	10/27/05
Disposition:	Not Agreed to by 21 yeas and 25 nays

AMENDMENT TO MR. BARTON'S AMENDMENT TO

SUBTITLE A

OFFERED BY MR. ENGEL

(Amendment to Medicaid Reconciliation Provisions)

(Page & line nos. refer to Amendment of October 26, 2005  
12:12 PM)

In the proposed subtitle A, add at the end of chapter  
4 [page 99, after line 8] the following new section:

1 SEC. 3135. OPTIONAL MEDICAID COVERAGE OF LOW-IN-

2 COME HIV-INFECTED INDIVIDUALS.

3 (a) IN GENERAL.—Section 1902 of the Social Secu-  
4 rity Act (42 U.S.C. 1396a) is amended—

5 (1) in subsection (a)(10)(A)(ii)—

6 (A) by striking “or” at the end of sub-  
7 clause (XVII);

8 (B) by adding “or” at the end of subclause  
9 (XVIII); and

10 (C) by adding at the end the following:

11 “(XIX) who are described in sub-  
12 section (cc) (relating to HIV-infected  
13 individuals);”; and

14 (2) by adding at the end the following:

15 “(cc) HIV-infected individuals described in this sub-  
16 section are individuals not described in subsection

17 (a)(10)(A)(i)—

[Optional medicaid coverage for low-income individuals with  
HIV]

2

1 “(1) who have HIV infection;

2 “(2) whose income (as determined under the  
3 State plan under this title with respect to disabled  
4 individuals) does not exceed the maximum amount  
5 of income a disabled individual described in sub-  
6 section (a)(10)(A)(i) may have and obtain medical  
7 assistance under the plan; and

8 “(3) whose resources (as determined under the  
9 State plan under this title with respect to disabled  
10 individuals) do not exceed the maximum amount of  
11 resources a disabled individual described in sub-  
12 section (a)(10)(A)(i) may have and obtain medical  
13 assistance under the plan.”.

14 (b) ENHANCED MATCH.—The first sentence of sec-  
15 tion 1905(b) of the Social Security Act (42 U.S.C.  
16 1396d(b)) is amended by striking “section  
17 1902(a)(10)(A)(ii)(XVIII)” and inserting “subclause  
18 (XVIII) or (XIX) of section 1902(a)(10)(A)(ii)”.

19 (c) CONFORMING AMENDMENTS.—Section 1905(a) of  
20 the Social Security Act (42 U.S.C. 1396d(a)) is amended  
21 in the matter preceding paragraph (1)—

22 (1) by striking “or” at the end of clause (xii);

23 (2) by adding “or” at the end of clause (xiii);

24 and

25 (3) by inserting after clause (xiii) the following:

[Optional medicaid coverage for low-income individuals with  
HIV]

3

1           “(xiv) individuals described in section  
2    1902(cc);”.

3           (d) EXEMPTION FROM FUNDING LIMITATION FOR  
4    TERRITORIES.—Section 1108(g) of the Social Security  
5    Act (42 U.S.C. 1308(g)) is amended by adding at the end  
6    the following:

7           “(3) DISREGARDING MEDICAL ASSISTANCE FOR  
8    OPTIONAL LOW-INCOME HIV-INFECTED INDIVID-  
9    UALS.—The limitations under subsection (f) and the  
10   previous provisions of this subsection shall not apply  
11   to amounts expended for medical assistance for indi-  
12   viduals described in section 1902(cc) who are only  
13   eligible for such assistance on the basis of section  
14   1902(a)(10)(A)(ii)(XIX).”.

15          (e) EFFECTIVE DATE.—The amendments made by  
16   this section shall apply to calendar quarters beginning on  
17   or after the date of the enactment of this Act, without  
18   regard to whether or not final regulations to carry out  
19   such amendments have been promulgated by such date.